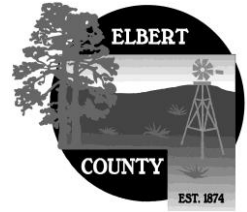




COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICES DEPARTMENT

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MINUTES ELBERT COUNTY REGULAR PLANNING COMMISSION MEETING September 11, 2014

Note: These meeting minutes are only a summary of the meeting. Duplications of the audio recording are available, for a fee, by contacting Community & Development Services.

The regular Planning Commission Meeting was called to order at 7:00 p.m. by Chairman, Tom Beshore.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Commission members present: Tom Beshore, Ron Turner, Rick Brown, Tony Baker, Bob Ware and Daniel Rosales.

Staff present: Curtis Carlson, Senior Planner; Carolyn Parkinson, Planner – Flood Plain Manager; Kyle Fenner, Director of CDS; Faith Mehrer, Office Manager

STAFF REPORT ON BOARD OF COUNTY COMMISSIONERS ACTION(S):

- A. The BOCC Rescinded the application for Mustang Creek as it drew near to expiration.
- B. The Foral Minor exemption from platting was approved.
- C. Officer Troy McCoy received recognition for his work with the Elizabeth Schools.
- D. Various speed limits and signage changes for the roads in Elbert County have been approved.

CONSENT CALENDAR:

COMMUNITY INPUT:

A.

PUBLIC HEARINGS:

A. SU-14-0014 Petri Gustafson Private Kennel:

- a. Carolyn Parkinson presented the proposal for a private kennel on an 80+ acre parcel located in Section 8, Township 9 South, Range 64 West in Elbert County. The applicant currently fosters and places dogs and cats for other animal welfare organizations. The proposed facility will house up to 30 dogs and 20 cats. She explained that this is not a boarding facility. Visitors will be by appointment only. The applicant will live on site and run the facility full time. The applicants have relationships with several other animal welfare organizations that will be able to help provide support such as veterinary care. The proposal will not require any change in zoning. After giving a thorough presentation of the application, Carolyn recommended approval of the Special Use with 14 conditions of approval.
- b. The Planning Commissioners asked questions of the applicant regarding the septic system, their PACFA license, the well permit, driveway access and shared their concerns regarding noise, traffic, aesthetics and safety.
- c. Tom Maroney, representative for the applicant, and Lisa Petri answered the questions asked them by the Planning Commission. Lisa stated that she has extensive experience with fostering and rescuing animals. She referenced the Colorado Animal Welfare League (CAWL) and the work that she has done with them over the last five years as the vice president of the organization. She presented a certificate of appreciation granted to her by the ASPCA for her assistance in 2011, information on a Palmer Lake feral cat spay / neuter project that CAWL participated in, information on CAWLs participation in world spay day in 2014 and several items supporting her professionalism regarding care for homeless animals. She expressed her desire to be a good neighbor. The animals that will be at the proposed facility will be cared for 24 hours a day, as she will be living on the property. There will be a kennel area and a designated outdoor play area for the

animals. The design for the facility includes noise mitigation. People cannot just come to the facility and leave their animals like they do at places like the Dumb Friends League, at this facility the animals are screened before they are accepted to make sure that there are no animals that would be dangerous to people or other animals.

- d. The Planning Commission discussed their thoughts on the proposal, deciding to add a 15th condition of approval; With the exception of a "potty break" between 6:00 PM and 7:00 AM, all dogs will be brought in from the play area and kept in the interior Kennel.**
- e. Rick Brown made a motion to forward a recommendation to the Board of County Commissioners to approve SU-14-0014 Gustafson Petri Kennel with 15 conditions. Daniel Rosales seconded the motion. Motion carried 6 to 0.**

PUBLIC COMMENTS:

- a. Emily Hayes, veterinarian that volunteers for CAWL, spoke in support of the applicant and her superb treatment of animals.
- b. Kim Ross, current neighbor to the applicant in Franktown Colorado, spoke of the applicant being a good and considerate neighbor.
- c. Kay Hytjan, current neighbor to the applicant and volunteer for CAWL supports the applicant and spoke of her success in placing animals in permanent homes and keeping fostered pets from roaming and impacting neighbor's peace or privacy.
- d. Beth Lazar, accountant for CAWL, spoke in support of the applicant stating that she is conservative in financial decisions and on how many dogs she accepts.
- e. John Krupa, Elbert County resident, asked if there had been a landscape plan submitted with the application.
- f. Don Gregoldi, Elbert County resident, voiced concerns about an unpermitted kennel across the road from him that has been in operation for two years. He also stated that he would like to see the residence built before the kennel is built.
- g. Rich Kozlowski, Elbert County Resident, submitted a petition that outlined surrounding property owner's concerns. He has concerns about noise of barking dogs. He offered some suggestions for noise control including bringing all dogs into the interior of the kennel at an appropriate time in the evenings so that neighbors arriving home from work will not be confronted by barking dogs.

- h. Jane Penley, Elbert County Resident, shared her experience adopting a dog from Lisa Petri. She spoke in support of the care and professionalism that Lisa took in reviewing her application and making sure that Jane and the dog were a good match for each other. She also spoke supportively regarding the financial independence of the organization from the County.
- i. Carolyn Parkinson read a letter written by Randy and Tina Boone into the record. The letter asked the Planning Commission members to be considerate of the neighbors when making their decision.
- j. Tom Maroney answered the public's questions also stating, in response to the concerns about the un-permitted kennel in the area, that this kennel would be permitted and therefore easier to enforce because the owners could lose their permit if they do not remain compliant to the terms of approval if it is approved.

NEW BUSINESS:

ANNOUNCEMENTS:

- A. Meeting adjourned at 9:40 PM